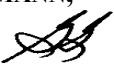




# CHARTER REVIEW COMMISSION

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>12-04-13</b>	<b>AGENDA REQUEST NO:</b>	<b>III-A</b>
<b>INITIATED BY:</b>	<b>CHRISTINE RANKIN EXECUTIVE SECRETARY</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>CITY SECRETARY</b>
<b>PRESENTED BY:</b>	<b>GLENDA GUNDERMANN, CITY SECRETARY</b>	<b>DIRECTOR:</b>	<b>GLENDA GUNDERMANN, CITY SECRETARY</b> 
		<b>ADDITIONAL DIRECTOR (S):</b>	<b>N/A</b>
<b>SUBJECT / PROCEEDING:</b>	<b>MINUTES CHARTER REVIEW COMMISSION MEETING NOVEMBER 26, 2013 APPROVE MINUTES</b>		
<b>EXHIBITS:</b>	<b>MINUTES NOVEMBER 26, 2013</b>		
<b>CLEARANCES</b>		<b>APPROVAL</b>	
<b>LEGAL:</b>	<b>N/A</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>N/A</b>
<b>PURCHASING:</b>	<b>N/A</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>N/A</b>
<b>BUDGET:</b>	<b>N/A</b>	<b>CITY MANAGER:</b>	<b>N/A</b>
<b>BUDGET</b>			
<b>EXPENDITURE REQUIRED: \$</b>		<b>N/A</b>	
<b>CURRENT BUDGET: \$</b>		<b>N/A</b>	
<b>ADDITIONAL FUNDING: \$</b>		<b>N/A</b>	
<b>RECOMMENDED ACTION</b>			
Approve the minutes of November 26, 2013 Charter Review Commission meeting.			

## EXHIBITS

STATE OF TEXAS                   §  
COUNTY OF FORT BEND       §  
CITY OF SUGAR LAND           §

CITY OF SUGAR LAND  
CHARTER REVIEW COMMISSION  
TUESDAY, NOVEMBER 26, 2013

### REGULAR MEETING

The Charter Review Commission of the City of Sugar Land convened in a regular meeting open to the public and pursuant to notice thereof duly given in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, as amended, in Sugar Land City Hall within said City on Tuesday, November 26, 2013 at 4:00 o'clock P.M. and the roll was called of the members; to wit:

William Little, Chairman  
Steven Weathered  
Robert Kern  
Jennifer Chiang  
Dennis Parmer

### QUORUM PRESENT

All of said members were present.

Also present were:  
Glenda Gundermann, City Secretary  
Mary Ann Powell, City Attorney, and  
A Number of Visitors

### CONVENE MEETING

*Chairman William Little* convened the session, open to the public, to order at 4:00 o'clock P.M.

### INTRODUCTIONS

*Chairman Little* introduced the members and discussed the meeting schedule as follows:

<b>INTRODUCTIONS (CONTINUED)</b>
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**Commission Meetings 4:00 P.M.**

**Date:**

- |          |  |
|----------|--|
| 11-26-13 | Organizational Meeting <ul style="list-style-type: none"><li>• Discussion on Process, Procedures, Schedule and Meetings</li><li>• City Attorney presents information on law</li><li>• Review 2008 Charter Issues Considered / No Recommendation made</li></ul> |
| 12-04-13 | Begin review of current Charter <ul style="list-style-type: none"><li>• Identify Charter issues to review</li></ul>  |
| 12-11-13 | Continue review of Charter <ul style="list-style-type: none"><li>• Identify Charter issues to review</li></ul>   |
| 12-18-13 | Continue review of Charter <ul style="list-style-type: none"><li>• Discuss identified Charter Issues</li></ul>   |
| 01-08-14 | Discuss identify Charter issues <ul style="list-style-type: none"><li>• Hold Public Hearing</li><li>• Interview City Council for input on changes/issues</li><li>• Interview City Manager for input on changes/issues</li></ul>                                |
| 01-15-14 | Discuss identified Charter issues <ul style="list-style-type: none"><li>• Discuss Preliminary Report</li></ul>   |
| 01-22-14 | Discuss identified Charter issues <ul style="list-style-type: none"><li>• Discuss and prepare Preliminary Report</li></ul>   |
| 01-29-14 | Report to City Council <ul style="list-style-type: none"><li>• Finalize Report</li></ul>   |
| 02-18-14 | Present Report to Council  |

**Council Action**

February 2014

- Council discuss CRC recommendations
- Council determine revisions to be placed on ballot (if any)
- Council determine date for charter election (if needed)

<b>ORIENTATION – GOVERNING LAWS, PURPOSE AND PROCEDURES (CONTINUED)</b>
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*Chairman Little* introduced review of and discussion on the governing laws, purpose of the commission and procedures.

*Ms. Mary Ann Powell, City Attorney*, provided the Commission with the following information.

Types of cities in Texas

- General Law municipalities type A, B and C
- Special Law municipalities
- Home Rule municipalities

Sugar Land is a home rule municipality.

- Full power of self-government
- Look to legislature only for limitations of power

Municipal Charter is:

- The “founding document” of the City
- Similar to Articles of Incorporation of other corporations
- Sets out basic structure and processes of the City

Charters typically set forth:

- Form of Government
- Powers of the City
- Elections, qualifications and terms of council members
- Initiative, Referendum, Recall
- Duties of key staff
- Budget adoption
- Planning and Zoning Commissions

Legal Authority – Texas Constitution Article XI, Section 5:

“Cities having more than 5,000 inhabitants may, by a majority vote of the qualified voters of said city, at an election held for that purpose, adopt or amend their charters”. “Furthermore, no city charter shall be altered, amended or repealed oftener than every two years.”

Legal Authority – State Law, generally:

- Chapter 9 Texas Local Government Code/Home Rule Municipality
- Chapter 26 Texas Local Government Code/Form of Government in Home-Rule Municipality
- Chapter 277 Texas Elections Code/Petition Prescribed by Law Outside Code (sets forth process to amend charter by petition)

<b>ORIENTATION – GOVERNING LAWS, PURPOSE AND PROCEDURES (CONTINUED)</b>
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Legal Authority – State Law, specific

- Sect. 9.005 Texas Local Government Code:
  - Requires an election to amend charter
  - Following election, requires Council to adopt an order declaring the results

Legal Authority – City Charter

- Sect. 1.05 of our City Charter requires a review at 5 year intervals:
  - “The council shall appoint a charter commission as often as it deems necessary, but not less than every five years, to review the operations of city government under the Charter and determine whether revisions should be made. . .”
  - Last review was done in 2008.
- Sect. 1.05 sets forth the Commission’s role as advisory to City Council:  
“. . . At the conclusion of its review, the commission shall make a written report of its recommendation of changes, if any, to the City Council. The City Council may submit the recommended changes, as it deems appropriate, to the voters for approval.”

The role as a Commission member is to:

- Review the Charter provisions
- Make recommendations
- Report recommendations to City Council

<b>ORIENTATION – CHARTER HISTORY</b>
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*Chairman Little* introduced review of and discussion on charter history since adoption in 1981; and issues considered by the 2008 Commission with recommendation made to be considered by the 2013 Commission.

*Ms. Glenda Gundermann, City Secretary*, provided the Commission history as follows.

Substantive Amendments 1986 – 2011

- City Manager form of government
- Increased number of City Council to 7
- Require four affirmative votes to take action
- Read caption of ordinance in lieu of full ordinance
- Term limits – 4 terms over 9 years
- Council vacancy – 15 months without special election
- Elect council members by majority vote
- Limited purpose annexation

2008 Substantive Issues Considered with No Recommendation Made

- Number of City Council Members
  - Consider after 2010 Census
- Length of Council Terms
  - Increase to three or four year terms
- Term Limitations
  - Should voters have the right to determine
- Vacancy in Office of Mayor
  - Language is vague

2011 Two Propositions Failed

- Initiative and Referendum Petitions
  - Failed – current is 30% voting in last city election
  - Proposition – signed by 10% of registered voters
- Recall Petitions – Mayor and At Large
  - Failed – current is 25% of city registered voters
  - Proposition – signed by 20% of registered voter

General Process

- Commission holds organizational meeting and sets preference for meeting schedule
- Reviews current charter
- Receives public and council and staff input
- Commission discusses charter issues
- Makes recommendations to council
- Council discusses recommendations
- Council determines what to submit to voters for May 2014 or future election

<b>ADJOURN</b>
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There, being no further business to come before the Commission, ***Mr. Weathered***, seconded by ***Ms. Chiang***, moved that the meeting adjourn. The motion carried unanimously and the meeting adjourned, time at 4:45 o'clock P.M.

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Glenda Gundermann, City Secretary

(SEAL)